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SUBJECT: SCENESETTER FOR THE VISIT OF CODEL ADAM SMITH TO THE  
DEMOCRATIC REPUBLIC OF CONGO (APRIL 15-16)

¶1. (SBU) Summary: The Democratic Republic of the Congo (DRC) continues to grapple with fundamental security challenges, particularly in the eastern part of the country, making it one of the most fragile and volatile states in the world. Armed groups, including the infamous Lord's Resistance Army, continue to terrorize the Congolese population in the east. At the same time, there have been a number of recent breakthroughs that, over time, could help to bring at least a modicum of stability and security to the DRC. Most importantly, a recent rapprochement between the DRC and its former regional rival Rwanda, which in turn has led to newfound cooperation between the two governments to address the problems posed by two of the principal armed groups operating on Congolese soil - one traditionally supported (or at least tolerated) by Kinshasa which operated against Rwanda's interests, and the other supported by Kigali which operated against the DRC's interests. Separately, a recent high-profile power struggle between the President and the Speaker of the National Assembly, which ran the risk of igniting conflict here in Kinshasa, was resolved according to established, democratic procedures, with the Speaker resigning his post.

¶2. (SBU) Summary continued: Nevertheless, the problems faced by the Congolese state and population remain rife: endemic corruption, rampant government abuse of human rights, economic crisis, and wrenching poverty and destitution. Your visit here can reinforce the point that the USG stands ready to assist the DRC with its many challenges, demonstrated by the fact that overall the United States provides over \$700 million per year in foreign and peacekeeping assistance to the DRC, of which more than \$200 million is in the form of bilateral foreign assistance for development and humanitarian activities, with the remainder largely provided through contributions to multilateral organizations including MONUC. However, it is vitally important that the elites of this country make the commitment to build a transparent, modern, liberal state which is focused on the delivery of services - as opposed to what exists now, which is a situation in which the state is used almost exclusively as a means by which a few people can enrich themselves and their families. End Summary.

Peace and Security  
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¶3. (SBU) The issues surrounding the well-publicized and now-concluded Operation Lightning Thunder - a joint effort between the Congolese armed forces (FARDC), the Ugandan armed forces (UPDF), and the armed forces of South Sudan to combat the scourge of the Lord's Resistance Army (LRA) - remain in focus for us. The LRA, lodged in a remote and largely inaccessible region of northeastern DRC, has long terrorized the local population; the numbers of Congolese killed, raped, tortured, kidnapped, and forced into slavery by this group stagger the imagination. While this joint operation was successful in diminishing some of the LRA's capability, the group remains intact and viable, and continues to carry out well-publicized attacks against the population. The responsibility now lies with the FARDC, supported by the peacekeepers of the UN mission in the DRC (MONUC), to finish the job - but there are serious doubts as to whether these two entities have the capability or will to do so.

¶4. (SBU) News of a more positive nature is coming out of the Kivu

provinces, site of long-simmering ethnic tensions and the battleground for both direct and proxy battles between the DRC and Rwanda. A diplomatic rapprochement between the two countries allowed for two important agreements, both of which were, frankly, staggering in terms of their impact.

15. (SBU) The first of these agreements was that the DRC permitted Rwandan armed forces (which had previously invaded and occupied large parts of the DRC) to enter its territory to fight the armed group known as the Democratic Forces for the Liberation of Rwanda (FDLR), an outfit comprised in part of those complicit in the 1994 genocide and to which Kinshasa had given tacit and direct support at various times over the years. The second agreement was clearly (though it was never publicly stated as such) that Rwanda allowed for the collapse of the National Congress for the Defense of the People (CNDP) rebel group, a Rwandan proxy which had terrorized North Kivu for a number of years. These developments are remarkable, particularly when seen against the backdrop of the DRC-Rwandan relationship of just three months ago, when many observers believed the two countries appeared to be headed towards war. At a meeting in Kinshasa last weekend, the Rwandans and Congolese even announced their intention to reestablish diplomatic relations immediately.

16. (SBU) Like the operation against the LRA, the operation against the FDLR succeeded in weakening the group's capability to a certain extent, but it remains active and continues to terrorize the local civilian population. The FARDC and MONUC also now have the task to finish the job but, as with the LRA, there are doubts as to their ability to do so. Concerning the CNDP, its fighters are being integrated into the FARDC and the Congolese police force as part of the agreement that dismantled the group as a fighting force. While a positive step, significant work remains to be done to ensure that this process of integration succeeds in permanently ending the status of the CNDP as an armed group.

#### Assistance Efforts

17. (SBU) The Congolese military, which must play a key role in solving the security challenges faced by the DRC, itself faces severe internal and external challenges. The USG and other partners are committed to seeing through progress in this area, though the pace of reform has been slow. The DRC is currently benefiting from a variety of projects financed through a number of different security assistance funds. U.S. security assistance to the DRC aims first and foremost to develop the FARDC into a professional, well-structured, and disciplined fighting force, which respects human rights and has the respect and trust of the people. While battlefield training is part of this program, it is equally important to focus on projects that provide for internal and long-term capacity reform (e.g. leadership training, command and control, human rights, etc.). Alongside our ongoing programs to provide capacity to military investigators to investigate sex crimes, to help strengthen the overall military justice system, and to enhance the leadership ability of FARDC officers, actions to begin training a light infantry battalion are continuing apace.

18. (SBU) Overall foreign assistance support from the United States is growing. The United States provides over \$700 million per year in foreign and peacekeeping assistance to the DRC, of which more than \$200 million is in the form of bilateral foreign assistance for development and humanitarian activities, with the remainder provided through contributions to multilateral organizations including MONUC. Overall, the budget for the DRC for development assistance increased in FY 2008 by approximately 25 percent, including supplemental appropriations for HIV/AIDS and security assistance funding. USAID implements programs in the areas of health, education, democracy and governance, economic growth, agriculture, and peace and security.

19. (SBU) The United States will continue to focus attention on the crisis situation in eastern DRC, where our support has helped to advance the peace process and provide critical assistance to communities affected by the conflict. Over the past several years, USAID has provided approximately half of development resources to programs operating in conflict-affected areas of eastern DRC.

¶10. (SBU) So far in FY 2009, USAID has spent over \$13 million to support emergency response agriculture and food security, economy and market systems, logistics and relief commodities, health, nutrition, protection, and water, sanitation, and hygiene programs targeting conflict-affected populations in eastern DRC. Additionally, USAID has spent over \$48 million in FY 09 so far to provide food assistance to food deficit areas, primarily in eastern DRC.

#### Human Rights and Gender-Based Violence

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¶11. (SBU) Security forces and armed groups remain responsible for most human rights violations in the DRC, including unlawful killings, disappearances, torture, rape and arbitrary arrest and detention. Human rights advocates have extensively documented the involvement of these elements in such abuses. Constitutionally-protected freedoms of association, speech, and protest are increasingly disregarded by security and administrative authorities using vague Mobutu and colonial-era laws to arrest and detain perceived critics. The Embassy is working with NGOs and other diplomatic missions to encourage Parliament to bring these laws into line with the 2006 constitution.

¶12. (SBU) Sexual violence against women and girls in eastern DRC is pervasive. While most of the recorded attacks have been by armed groups and the FARDC, reports of rape by civilians is increasingly prevalent. A general climate of impunity does nothing to discourage these acts. In a recent report, the UN Human Rights Integrated Office in the DRC (UNHRO) stated that, despite strengthened laws on sexual violence, "law enforcement personnel and magistrates continue to treat rape and sexual violence in general with a marked lack of seriousness. Consequently, men accused of rape are often granted bail or given relatively light sentences, and out-of-court settlements of sexual violence cases are widespread." In fact, relatively few cases are reported to the police, and fewer still result in prosecution.

¶13. (SBU) USAID and the Departments of State and Defense support activities to respond to and prevent gender-based violence through a variety of interventions in the eastern provinces. Since 2002, USAID has allocated more than \$10 million for activities to combat gender-based violence in the Eastern DRC. The Defense Institute for International Legal Studies (DIILS) has provided training sessions on the investigation of sex crimes to nearly all 350 of the FARDC military magistrates and police investigators with investigatory and adjudicatory roles. The program, funded through PKO monies, sponsored sessions across the country, and received laudatory comments from the international community.

#### Economic Issues

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¶14. (SBU) The DRC has been significantly and negatively impacted by the global financial crisis due to its heavy reliance on natural resources for foreign exchange and limited capacity to protect against external shocks. Reduced demand for and lower prices of minerals have resulted in a significant contraction of the DRC's mining sector, the driver of the DRC's recent economic growth and a major source of formal sector employment and investment. The IMF has revised projected GDP growth downward for 2009 to 2.7%, less than half of the IMF's projection before the global financial crisis. International reserves have fallen to the lowest level in five years and the exchange rate has depreciated by more than 25 percent over the last four months. At the same time, continuing conflict in eastern DRC is having an adverse impact on the fiscal balance through public expenditures. To help support the continuation of basic services and augment international reserve levels, the World Bank approved \$100 million in emergency assistance under its Fast Track Assistance Program in February and the IMF approved \$200 million in emergency assistance under its Exogenous Shocks Facility (ESF) in March. The EU also plans to provide emergency assistance.

¶15. (SBU) The DRC's development framework includes implementation of the Poverty Reduction Strategy Paper (PRSP), approved in mid-2006 by the IMF and World Bank boards, and the government's five-year program, approved by the National Assembly in February 2007. The five-year program, known as the five pillars, or "cinq chantiers" in

French, is based on the PRSP and focuses heavily on President Kabila's five priority areas: infrastructure; employment; education; water/electricity; and health. The DRC currently participates in a non-disbursing IMF Staff Monitored Program (SMP) and continues discussions with the IMF on the re-establishment of an IF Poverty Reduction and Growth Facility (PRGF). A new IMF PRGF will help pave the way for external debt relief under the Heavily Indebted Poor Countries (HIPC) Initiative. The DRC's external debt totals approximately \$11 billion. In early 2008, the DRC concluded an agreement with a consortium of Chinese companies to create a joint venture to exploit mining resources and develop Congolese infrastructure. The project will be financed by a \$9 billion loan arranged by the consortium. To ensure debt sustainability, some of the loan agreement's provisions must be clarified in order to qualify the DRC for a PRGF program and receive debt relief under HIPC.

#### The Scene Today

¶16. (SBU) The problems faced by the DRC are overwhelming, but your visit will reinforce the point that the USG stands ready and willing to assist the country with its security, economic, and governmental challenges. At the same time, we have high expectations of the Kabila government and there will be no blank check issued to his regime. Post believes that it is particularly important that the following points be reinforced during your visit: 1) those in power must first and foremost truly commit to the creation of a modern state, focused on the rational and just delivery of services to all its citizens not just individual constituencies), and to address the endemic corruption that renders progress in his area impossible; 2) the appalling human rights record of the government and its security services must be corrected - not by empty rhetoric but with concrete action; and 3) we expect the full engagement of the FARDC to fight the LRA and FDLR, in cooperation with MONUC and keeping in mind first and foremost the need to protect civilians.

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